

Matthew C. Smith (State Bar No. 276024)
Santana and Smith Law Firm, P.C.
The Historic Winship Building
500 Second Street
Yuba City, CA 95991
TEL: (530) 822-9500
FAX: (530) 751-7910

Attorney for Defendant
Austreberto Santamaria-Valencia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

AUSTREBERTO SANTAMARIA-VALENCIA ,
Defendant.

Case No.: 2:21-CR-0079-TLN

STIPULATION AND ORDER

Date: September 22, 2022
Time: 9:30 a.m.
Hon. Troy L. Nunley

STIPULATION

1. By previous order, this matter was set for status on September 22, 2022.
2. By this stipulation, defendant now moves to continue the status conference until **November 17, 2022, at 9:30 a.m.**, and to exclude time between September 22, 2022, and November 17, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a.) The government has produced the discovery associated with this case including, among other things, investigative reports, photographs, and video recordings.
 - b.) Counsel for defendant desires additional time to consult with his client, to review

1 the current charges, to conduct an investigation and research related to the charges, to review
2 discovery for this matter, to discuss potential resolutions with his client, and to prepare pretrial
3 motions.

4 c.) Defense counsel believes that failure to grant the above-requested continuance
5 would deny counsel the reasonable time necessary for effective preparation, taking into account
6 the exercise of due diligence.

7 d.) The government does not object to the continuance.

8 e.) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f.) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of September 22, 2022 to November
13 17, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
14 Rule T4] because it results from a continuance granted by the Court at defendant's request on the
15 basis of the Court's findings that the ends of justice served by taking such action outweigh the
16 best interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21 Date: September 19, 2022

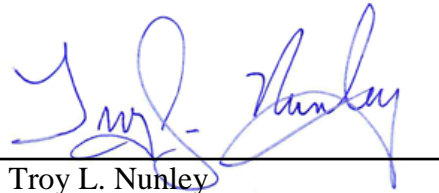
22 /s/ Matthew C. Smith
23 MATTHEW C. SMITH
24 Attorney for Defendant
25 Austreberto Santamaria-Valencia

26 Date: September 19, 2022

27 /s/ James R. Conolly
28 James R. Conolly
Assistant United States Attorney

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 20th day of September, 2022.



Troy L. Nunley
United States District Judge